



1           **\*-1737/2.19\* SECTION 2480.** 978.045 (2) (b) of the statutes is amended to read:

2           978.045 (2) (b) The department of ~~administration~~ justice shall pay the  
3           compensation ordered by the court from the appropriation under s. 20.475 (1) (d).

4           **\*-0265/3.24\* SECTION 2481.** 978.05 (4m) of the statutes is amended to read:

5           978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the department  
6           departments of workforce development and health and family services regarding the  
7           fraud investigation ~~program~~ programs under s. ~~ss.~~ 49.197 (1m) and 49.845 (1).

8           **\*-1737/2.20\* SECTION 2482.** 978.05 (8) (b) of the statutes is amended to read:

9           978.05 (8) (b) Hire, employ, and supervise his or her staff and, subject to ~~ss.~~ s.  
10          978.043 and 978.044, make appropriate assignments of the staff throughout the  
11          prosecutorial unit. The district attorney may request the assistance of district  
12          attorneys, deputy district attorneys, or assistant district attorneys from other  
13          prosecutorial units or assistant attorneys general who then may appear and assist  
14          in the investigation and prosecution of any matter for which a district attorney is  
15          responsible under this chapter in like manner as assistants in the prosecutorial unit  
16          and with the same authority as the district attorney in the unit in which the action  
17          is brought. Nothing in this paragraph limits the authority of counties to regulate the  
18          hiring, employment, and supervision of county employees.

19          **\*-1737/2.21\* SECTION 2483.** 978.11 of the statutes is amended to read:

20          **978.11 Budget.** The department of ~~administration~~ justice shall prepare the  
21          budget of the prosecution system and submit it in accordance with s. 16.42.

22          **\*-1737/2.22\* SECTION 2484.** 978.12 (5) (c) 1. of the statutes is amended to read:

23          978.12 (5) (c) 1. The salaries authorized under this section for the district  
24          attorney and the state employees of the office of district attorney shall be paid by the  
25          secretary of administration to the county treasurer pursuant to a voucher submitted

1 by the district attorney to the department of administration justice. The county  
2 treasurer shall pay the amounts directly to the district attorney and state employees  
3 of the office of district attorney and the amounts paid shall be subject to the  
4 retirement system established under chapter 201, laws of 1937.

5 **\*-1737/2.23\* SECTION 2485.** 978.13 (1) (b) of the statutes is amended to read:

6 978.13 (1) (b) In counties having a population of 500,000 or more, the salary  
7 and fringe benefit costs of 2 clerk positions providing clerical services to the  
8 prosecutors in the district attorney's office handling cases involving felony violations  
9 under ch. 961. The secretary of administration shall pay the amount authorized  
10 under this subsection to the county treasurer pursuant to a voucher submitted by the  
11 district attorney to the department of administration justice from the appropriation  
12 under s. 20.475 (1) (i).

13 **\*-1737/2.24\* SECTION 2486.** 978.13 (1) (c) of the statutes is amended to read:

14 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
15 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
16 prosecution of violent crime cases primarily involving felony violations under s.  
17 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,  
18 940.06, 940.225, 943.23 (1g), and 943.32 (2). The secretary of administration shall  
19 pay the amount authorized under this subsection to the county treasurer pursuant  
20 to a voucher submitted by the district attorney to the secretary department of  
21 administration justice from the appropriation under s. 20.475 (1) (i).

22 **\*-0549/3.2\* SECTION 2487.** 978.13 (1) (d) of the statutes is amended to read:

23 978.13 (1) (d) In counties having a population of 500,000 or more, the salary  
24 and fringe benefit costs of 2 clerk positions providing clerical services to the  
25 prosecutors in the district attorney's office handling cases involving the unlawful

1 possession or use of firearms. The secretary of administration shall pay the amount  
2 authorized under this subsection to the county treasurer from the appropriation  
3 under s. 20.475 (1) ~~(f) or (i)~~ pursuant to a voucher submitted by the district attorney  
4 to the department of administration justice.

5 **\*-0549/3.3\* SECTION 2488.** 978.13 (1m) of the statutes is amended to read:

6 978.13 (1m) The amount paid under sub. (1) (b), (c), and (d) combined may not  
7 exceed the amount appropriated under s. 20.475 (1) ~~(f) and (i) combined~~.

8 **\*-1022/1.2\* SECTION 2489.** 985.04 of the statutes is amended to read:

9 **985.04 Official state newspaper.** ~~The joint committee on legislative~~  
10 ~~organization shall recommend to the legislature to~~ secretary of administration shall  
11 designate some newspaper published in Wisconsin to be the official state newspaper,  
12 which shall publish all legal notices required to be published therein. Any such  
13 publication from any of the state agencies shall be deemed official. The joint  
14 ~~committee~~ secretary of administration may invite bids from all newspapers which  
15 meet the requirements of s. 985.03, but if it the secretary does so, it he or she is not  
16 required to ~~recommend~~ designate the lowest bidder as the official state newspaper.  
17 ~~The joint committee shall introduce its recommendation in the legislature in the~~  
18 ~~form of a joint resolution. No designation takes effect until the joint resolution is~~  
19 ~~adopted.~~ A newspaper which is designated the official state newspaper under this  
20 section shall continue as such until the legislature secretary of administration  
21 designates another newspaper to be the official state newspaper.

22 **\*-0984/4.21\* SECTION 2490.** 1997 Wisconsin Act 27, section 9456 (3m) (a), as  
23 last affected by 2003 Wisconsin Act 48, is repealed.

24 **\*-0984/4.22\* SECTION 2491.** 1999 Wisconsin Act 9, section 9401 (2zt), as last  
25 affected by 2003 Wisconsin Act 33, is repealed.

1           **\*-0984/4.23\* SECTION 2492.** 1999 Wisconsin Act 9, section 9401 (2zu), as last  
2 affected by 2003 Wisconsin Act 33, is repealed.

3           **\*-0330/P2.4\* SECTION 2493.** 2001 Wisconsin Act 74, section 23 (5) is repealed.

4           **\*-0335/2.17\* SECTION 2494.** 2003 Wisconsin Act 33, section 9159 (4f) is  
5 repealed.

6           **\*-0746/4.2\* SECTION 2495.** 2003 Wisconsin Act 318, section 3 is repealed.

7           **\*-0746/4.3\* SECTION 2496.** 2003 Wisconsin Act 318, section 4 is repealed.

8           **\*-0746/4.4\* SECTION 2497.** 2003 Wisconsin Act 318, section 6 is repealed.

9           **\*-0746/4.5\* SECTION 2498.** 2003 Wisconsin Act 318, section 11 is repealed.

10          **\*-0746/4.6\* SECTION 2499.** 2003 Wisconsin Act 318, section 13 is repealed.

11          **\*-0746/4.7\* SECTION 2500.** 2003 Wisconsin Act 318, section 14 is repealed.

12          **\*-0746/4.8\* SECTION 2501.** 2003 Wisconsin Act 318, section 15 is repealed.

13          **\*-0746/4.9\* SECTION 2502.** 2003 Wisconsin Act 318, section 17 is repealed.

14          **\*-0746/4.10\* SECTION 2503.** 2003 Wisconsin Act 318, section 18 is repealed.

15          **\*-0746/4.11\* SECTION 2504.** 2003 Wisconsin Act 318, section 20 is repealed.

16          **\*-0746/4.12\* SECTION 2505.** 2003 Wisconsin Act 318, section 22 is repealed.

17          **\*-0746/4.13\* SECTION 2506.** 2003 Wisconsin Act 318, section 25 (3) is  
18 renumbered 49.45 (6tw) of the statutes and amended to read:

19           **49.45 (6tw) PAYMENTS TO CITY HEALTH DEPARTMENTS.** From the appropriation  
20 account under section s. 20.435 (7) (b) ~~of the statutes, as affected by this act, in state~~  
21 ~~fiscal year 2004-05, the department of health and family services may make~~  
22 ~~payments to local health departments, as defined under s. 250.02 (4) (a) 3. of the~~  
23 ~~statutes. Payment under this subsection to such a local health department may not~~  
24 ~~exceed on an annualized basis payment made by the department of health and family~~

1 services to the local health department under section s. 49.45 (6t) of the statutes,  
2 2003 stats., for services provided by the local health department in 2002.

3 **\*-0746/4.14\* SECTION 2507.** 2003 Wisconsin Act 318, section 27 is repealed.

4 **\*-0537/P3.9101\* SECTION 9101. Nonstatutory provisions;**  
5 **administration.**

6 **\*-0537/P3.9101\*(1)** PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From  
7 federal and program revenue moneys appropriated to the department of  
8 administration for the office of justice assistance under section 20.505 (6) (kp) and  
9 (p) of the statutes, the department of administration shall expend \$154,000 in fiscal  
10 year 2005-06 and \$154,000 in fiscal year 2006-07 to provide the multijurisdictional  
11 enforcement group serving Milwaukee County with funding for 1.5 assistant district  
12 attorney positions to prosecute criminal violations of chapter 961 of the statutes.

13 **\*-0537/P3.9101\*(2)** PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal  
14 and program revenue moneys appropriated to the department of administration for  
15 the office of justice assistance under section 20.505 (6) (kp) and (p) of the statutes,  
16 the department of administration shall expend \$50,100 in fiscal year 2005-06 and  
17 \$50,100 in fiscal year 2006-07 to provide the multijurisdictional enforcement group  
18 serving Dane County with funding for 0.5 assistant district attorney position to  
19 prosecute criminal violations of chapter 961 of the statutes.

20 **\*-1212/1.9101\*(3)** FORWARD WISCONSIN, INC. Notwithstanding section 20.001  
21 (3) (a) of the statutes, in the 2006-07 fiscal year Forward Wisconsin, Inc., may not  
22 spend \$1,000,000 of the amount appropriated under section 20.143 (1) (bm) of the  
23 statutes, as affected by this act, unless the department of administration certifies  
24 that Forward Wisconsin, Inc., has raised at least \$2,000,000 in private funds during  
25 the 2005-06 and 2006-07 fiscal years.

**\*-1513/4.9101\* (4) SALE OF CERTAIN STATE PROPERTY.**

(a) 1. No later than July 1, 2006, the secretary of administration shall review all holdings of state-owned real property for potential sale, except as provided in subdivision 2.

2. Subdivision 1. does not apply to any property, facility, or institution the closure or sale of which is not authorized under section 16.848 of the statutes, as created by this act.

(b) No later than October 1, 2006, the secretary of administration shall submit a report to the secretary of the building commission containing an inventory of his or her recommendations to offer specified state properties for sale under section 16.848 of the statutes, as created by this act, and the reasons therefor. A property may be included in the inventory with or without approval of the state agency having jurisdiction of the property. If, on or before June 30, 2007, the building commission votes to approve the sale of any property included in the inventory, the department of administration may offer the property for sale under section 16.848 of the statutes, as created by this act.

(c) This subsection does not apply after June 30, 2007.

**\*-1649/7.9101\* (5) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; INITIAL APPOINTMENTS.** Notwithstanding the length of terms specified in section 15.105 (13) (b) of the statutes, as created by this act, the initial members of the health care quality and patient safety board shall be appointed by the first day of the 4th month beginning after the effective date of this subsection for the following terms:

(a) The representative of hospitals, the employer purchaser of health care, and the representative of the insurance industry, for terms expiring on May 1, 2009.

1 (b) The physician, the representative of health maintenance organizations, and  
2 the member who represents the public interest, for terms expiring on May 1, 2011.

3 \*–1649/7.9101\* (6) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; STUDY OF  
4 PHYSICIAN INFORMATION DATABASE. By March 1, 2006, the health care quality and  
5 patient safety board shall study and make recommendations to the governor  
6 concerning the feasibility of creating a centralized physician information database,  
7 including through a joint public and private effort.

8 \*–1649/7.9101\* (7) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; STUDY OF  
9 RULES. By October 1, 2006, the health care quality and patient safety board shall do  
10 all of the following:

11 (a) Study and make recommendations to the governor concerning the rules  
12 required and authorized to be promulgated by the department of health and family  
13 services under section 153.75 of the statutes.

14 (b) Promote the collection and availability of information regarding the quality  
15 and price of health care required to enable consumers and health care purchasers to  
16 make wise health care choices.

17 (c) Foster the creation and evolution of public–private health care  
18 partnerships, agreements on standard health care data sets and reporting protocols,  
19 and transparency of health care information for purchasing purposes, including the  
20 development of an integrated health care data repository.

21 \*–1649/7.9101\* (8) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; PLAN AND  
22 STRATEGIES. By January 1, 2007, develop a plan and specific strategies, including  
23 awarding grants or making loans under section 153.076 (2) of the statutes, as created  
24 by this act, to deploy health care information systems technology for health care  
25 quality, safety, and efficiency, within a reasonable time and using reasonable

1 financial investments. The plan shall consider the extent to which an integrated or  
2 interoperable system or underlying technology may be most cost effective, including  
3 by assessing benefits of the system for supporting rapid deployment for supporting  
4 medical care practitioners, promoting accurate and appropriate shared information  
5 about individual patients among health care providers, standardizing performance  
6 indicators among health care provider organizations to improve organization  
7 performance, and public reporting of quality, safety, and efficiency data for consumer  
8 and health care purchaser decision making.

9 \*-1660/3.9101\* (9) REPORT REGARDING ALTERNATIVE DISPOSITIONS FOR  
10 NON-VIOLENT OFFENDERS. The sentencing commission shall review sentences imposed  
11 on individuals who are convicted of nonviolent offenses, other than crimes under  
12 section 23.33 (4c), 30.681, 346.63, or 350.101 of the statutes or, if the offense involved  
13 the use of a vehicle, under section 940.09 or 940.25 of the statutes, and develop  
14 recommendations for alternative dispositions for those individuals that may be used  
15 by courts at or before sentencing. By December 31, 2005, the sentencing commission  
16 shall submit its recommendations in a report to the legislature in the manner  
17 provided under section 13.172 (2) of the statutes.

18 INS  
18 858-19 \*-0517/P1.9102\* SECTION 9102. Nonstatutory provisions; aging and  
19 long-term care board.

20 \*-1243/P3.9103\* (1) TRANSFER OF CONSUMER PROTECTION FUNCTIONS.

21 (a) *Assets and liabilities.* All assets and liabilities of the department of  
22 agriculture, trade and consumer protection that are primarily related to consumer  
23 protection programs or functions that are being transferred to the department of  
24 justice under this act shall become the assets and liabilities of the department of  
25 justice. The departments of justice and agriculture, trade and consumer protection



LPS:  
get from  
1/23/07  
version

practitioners, promoting accurate and appropriate shared information about individual patients among health care providers, standardizing performance indicators among health care provider organizations to improve organization performance, and public reporting of quality, safety, and efficiency data for consumer and health care purchaser decision making.

**\*-1660/3.9101\* SECTION 9101. Nonstatutory provisions; administration.**

(1) REPORT REGARDING ALTERNATIVE DISPOSITIONS FOR NON-VIOLENT OFFENDERS. The sentencing commission shall review sentences imposed on individuals who are convicted of nonviolent offenses, other than crimes under section 23.33 (4c), 30.681, 346.63, or 350.101 of the statutes or, if the offense involved the use of a vehicle, under section 940.09 or 940.25 of the statutes, and develop recommendations for alternative dispositions for those individuals that may be used by courts at or before sentencing. By December 31, 2005, the sentencing commission shall submit its recommendations in a report to the legislature in the manner provided under section 13.172 (2) of the statutes.

**\*-0517/P1.9102\* SECTION 9102. Nonstatutory provisions; aging and long-term care board.**

**\*-0517/P1.9103\* SECTION 9103. Nonstatutory provisions; agriculture, trade and consumer protection.**

**\*-1243/P3.9103\* SECTION 9103. Nonstatutory provisions; agriculture, trade and consumer protection.**

(1) TRANSFER OF CONSUMER PROTECTION FUNCTIONS.

(a) *Assets and liabilities.* All assets and liabilities of the department of agriculture, trade and consumer protection that are primarily related to consumer

INS

858

-19

1 shall jointly determine these assets and liabilities and shall jointly develop and  
2 implement a plan for their orderly transfer. In the event of any disagreement  
3 between the departments, the secretary of administration shall resolve the  
4 disagreement.

5 (b) *Employee transfers.* The departments of justice and agriculture, trade and  
6 consumer protection shall jointly determine which positions that are primarily  
7 related to consumer protection programs or functions that are being transferred to  
8 the department of justice under this act shall be transferred to the department of  
9 justice. In the event of a disagreement between the departments, the secretary of  
10 administration shall resolve the disagreement. The positions determined to be  
11 transferred under this paragraph, and the incumbent employees in those positions,  
12 shall be transferred to the department of justice.

13 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
14 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
15 statutes in the department of justice that they enjoyed in the department of  
16 agriculture, trade and consumer protection immediately before the transfer.  
17 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
18 has attained permanent status in class is required to serve a probationary period.

19 (d) *Supplies and equipment.* All tangible personal property, including records,  
20 of the department of agriculture, trade and consumer protection that are primarily  
21 related to consumer protection programs or functions that are being transferred to  
22 the department of justice under this act are transferred to the department of justice.  
23 The departments of justice and agriculture, trade and consumer protection shall  
24 jointly identify the tangible personal property, including records, and shall jointly  
25 develop and implement a plan for their orderly transfer. In the event of a

1 disagreement between the departments, the secretary of administration shall  
2 resolve the disagreement.

3 (e) *Pending matters.* Any matter pending with the department of agriculture,  
4 trade and consumer protection that is primarily related to a consumer protection  
5 program or function that is being transferred to the department of justice under this  
6 act is being transferred to the department of justice. All materials submitted to or  
7 actions taken by the department of agriculture, trade and consumer protection with  
8 respect to the pending matter are considered as having been submitted to or taken  
9 by the department of justice.

10 (f) *Contracts.* All contracts entered into by the department of agriculture, trade  
11 and consumer protection or by the department of justice that are primarily related  
12 to consumer protection programs or functions that are being transferred to the  
13 department of justice under this act, and that are in effect on the effective date of this  
14 paragraph, remain in effect and those contracts entered into by the department of  
15 agriculture, trade and consumer protection are transferred to the department of  
16 justice. The departments of justice and agriculture, trade and consumer protection  
17 shall jointly identify these contracts and shall jointly develop and implement a plan  
18 for their orderly transfer. In the event of any disagreement between the  
19 departments, the secretary of administration shall resolve the disagreement. The  
20 department of justice shall carry out the obligations under these contracts until the  
21 obligations are modified or rescinded by the department of justice to the extent  
22 allowed under the contract.

23 (g) *Rules and orders.* All rules promulgated by the department of agriculture,  
24 trade and consumer protection that are in effect on the effective date of this  
25 paragraph and that are primarily related to consumer protection programs or

1 functions that are being transferred to the department of justice under this act  
2 remain in effect until their specified expiration date or until amended or repealed by  
3 the department of justice. All orders issued by the department of agriculture, trade  
4 and consumer protection that are in effect on the effective date of this paragraph and  
5 that are primarily related to consumer protection programs or functions that are  
6 being transferred to the department of justice under this act remain in effect until  
7 their specified expiration date or until modified or rescinded by the department of  
8 justice.

9       \***-1243/P3.9103\*** (2) NAME CHANGE. Wherever “agriculture, trade and  
10 consumer protection” appears in the following sections of the statutes, as affected by  
11 this act, “agriculture, trade, and rural resources” is substituted: 15.05 (1) (d), 15.07  
12 (5) (d), 15.105 (12) (a) 1. and (16) (b) 1., 15.107 (16) (b) 2., 15.135 (1) (a) (intro.) and  
13 (b) and (4) (am) and (b) 1., 15.137 (b) and (5) (intro.), (a), and (b) 1., 15.155 (4) (a) 1.  
14 and (5), 15.347 (13) (b) 3. and (18) (b) 3., 15.405 (5g), 15.445 (2) (e) and (4) (a) 6., 15.915  
15 (1) (b) 1. and (2) (a), 16.023 (1) (g) (intro.), 16.045 (3), 16.967 (6), 16.9675 (6), 20.115  
16 (intro.), 20.866 (2) (we) and (wf), 20.923 (4) (f) 2., 23.235 (3m), 25.463, 26.30 (2) and  
17 (5), 26.36, 27.019 (3) and (12), 29.424 (2) (b), 29.705 (4) (b), 29.875 (2), 30.12 (1m) (a)  
18 and (b), 30.20 (1g) (c), 30.46 (1) (a) and (2), 31.02 (7m), 32.035 (1) (a), 36.25 (7) and  
19 (11) (c), 36.58 (2) (a) 3. and (c), (3) (b), and (5), 41.41 (4) (c) and (5) (e), 42.10, 59.70  
20 (17) (a), 61.72, 66.0217 (9) (b), 66.0307 (4) (a) 1., 66.0417 (1), 69.66, 84.01 (17), 86.19  
21 (1m), 88.11 (1) (intro.), (1m), (3) (intro.), (4), (5) (intro.), (6), and (7), 88.13, 88.15 (1),  
22 (2), and (3), 88.19 (4) (a) (intro.) and (d), 88.21 (5), 88.24 (intro.), 88.32 (3m), 88.35  
23 (7), 88.77 (2), 91.01 (3), 92.03 (3), 92.14 (6) (d) and (m) and (14m), 92.15 (3) (a) and  
24 (b), chapter 93 (title), 93.01 (3) and (15), 93.09 (6), 93.135 (2), 93.75 (3m) (b), (c), and  
25 (d), 93.90 (5) (c), 94.72 (1) (d), 94.73 (2m) (b), (c), and (e), (4) (b), and (9), 95.22 (1) and

(3), 95.45 (4) (b), 95.55 (5) (a) and (c), 97.01 (4), 97.24 (3), 97.41 (1m), 98.04 (1) and (2), 101.175 (3) (intro.), 101.58 (2) (i), 101.586, 126.01 (8), 126.72 (2), 146.60 (1) (c), (2) (b), (3) (c) 1. and 2., and (5), 160.01 (7), 169.01 (7) and (35) (a), 169.03, 169.04 (2) (d) and (3) (a), 169.04 (5m) (a) 3., 6., and 7., 169.06 (1) (d) 1., 169.11 (1) (a) (intro.), 169.38 (title), 169.42 (1) (i), 173.01 (1), 174.001 (2), 174.11 (1) and (2) (a), 182.01 (6), 196.857 (1g) (e), 227.137 (1), 227.14 (1s), 230.08 (2) (e) 2., 235.02 (2) (c), 235.04 (6), 254.02 (3) (a), 254.51 (2), 254.52 (2) (intro.), 254.58, 254.64 (1) (d), 254.69 (2) (am), 281.16 (3) (a) (intro.), (b), (c), and (e), 281.20 (1) (a) and (3) (c) (intro.), 1., and 2. and (d) 3., 281.65 (3) (f), (3m) (a) 1. and (b) 1., (4) (as), (dr), (e), (g) (intro.), 2., and 4., (i), (L), (o), (p), and (pm), (4c) (am) 2., (4m) (c) and (d), (5) (intro.), (5m), (7) (a) 2., (11), and (12), 281.67, 281.695 (5), 281.75 (1) (e) 1., 287.11 (2s) (a) and (b), 292.11 (2) (d) and (9) (d) 1. d., 292.33 (6), 299.11 (2) (title), (a), and (b), and (5) (a), 348.01 (2) (am), 348.15 (5) (intro.), 348.17 (4) (a) and (b) (intro.), 348.27 (11m) (a), 440.92 (7), 560.03 (1) and (18), 560.07 (6), 560.17 (7) (am), 560.92 (1), 562.02 (2) (fm), 704.90 (11) (a), 710.02 (4) (a) (intro.), 823.08 (3) (c) 1., 885.01 (4), 895.57 (3), 943.75 (3), and 943.76 (3) (c).

**\*-1243/P3.9103\*** (3) MEMBERSHIP OF THE BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION. Notwithstanding section 15.13 of the statutes, as affected by this act, any member of the board of agriculture, trade and consumer protection who is serving on the board of agriculture, trade and consumer protection as a consumer representative on the day before the effective date of this subsection shall be entitled to continue to serve as a member of the board under section 15.13 of the statutes, as affected by this act, until his or her successor is appointed and qualified.

**\*-0517/P1.9104\*** SECTION 9104. Nonstatutory provisions; arts board.

1           **\*-0517/P1.9105\* SECTION 9105. Nonstatutory provisions; building**  
2       **commission.**

3           **\*-0517/P1.9106\* SECTION 9106. Nonstatutory provisions; child abuse**  
4       **and neglect prevention board.**

5           **\*-0517/P1.9107\* SECTION 9107. Nonstatutory provisions; circuit courts.**

6           **\*-0430/P1.9108\* SECTION 9108. Nonstatutory provisions; commerce.**

7           **\*-0430/P1.9108\* (1) REAL ESTATE TRUST ACCOUNTS.** All rules promulgated  
8       under section 452.13 of the statutes by the department of administration that are in  
9       effect on the effective date of this subsection remain in effect until their specified  
10      expiration date or until amended or repealed by the department of commerce.

11          **\*-1624/2.9109\* SECTION 9109. Nonstatutory provisions; corrections.**

12          **\*-1624/2.9109\* (1) COMMUNITY INTERVENTION PROGRAM TRANSFER.**

13           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
14       liabilities of the department of corrections primarily related to the Community  
15       Intervention Program under section 301.263, 2003 stats., as determined by the  
16       secretary of administration, shall become the assets and liabilities of the department  
17       of administration.

18           (b) *Tangible personal property.* On the effective date of this paragraph, all  
19       tangible personal property, including records, of the department of corrections that  
20       is primarily related to the Community Intervention Program under section 301.263,  
21       2003 stats., as determined by the secretary of administration, is transferred to the  
22       department of administration.

23           (c) *Pending matters.* Any matter pending with the department of corrections  
24       on the effective date of this paragraph that is primarily related to the Community  
25       Intervention Program under section 301.263, 2003 stats., as determined by the

IN 2005  
863-10

DOA:.....Grinde - Rural economic development study

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**

**ECONOMIC DEVELOPMENT**

This bill requires the Department of Commerce and DOR to study the status of and the alternatives for regional economic development in rural areas.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 ~~Section 9108. Nonstatutory provisions; commerce.~~  
3 dots → #2 (1) RURAL ECONOMIC DEVELOPMENT STUDY. The department of commerce and the  
4 department of revenue shall jointly study the status of and the alternatives for  
5 regional economic development in rural areas.

1 secretary of administration, is transferred to the department of administration and  
2 all materials submitted to or actions taken by the department of corrections with  
3 respect to the pending matter are considered as having been submitted to or taken  
4 by the department of administration.

5 (d) *Contracts.* All contracts entered into by the department of corrections in  
6 effect on the effective date of this paragraph that are primarily related to the  
7 Community Intervention Program under section 301.263, 2003 stats., as determined  
8 by the secretary of administration, remain in effect and are transferred to the  
9 department of administration. The department of administration shall carry out  
10 any obligations under such a contract until the contract is modified or rescinded by  
11 the department of administration to the extent allowed under the contract.

12 (e) *Rules and orders.* All rules promulgated by the department of corrections  
13 in effect on the effective date of this paragraph that are primarily related to the  
14 Community Intervention Program under section 301.263, 2003 stats., remain in  
15 effect until their specified expiration date or until amended or repealed by the  
16 department of administration. All orders issued by the department of corrections in  
17 effect on the effective date of this paragraph that are primarily related to the  
18 Community Intervention Program under section 301.263, 2003 stats., remain in  
19 effect until their specified expiration date or until modified or rescinded by the  
20 department of administration.

21 **\*-0517/P1.9110\* SECTION 9110. Nonstatutory provisions; court of**  
22 **appeals.**

23 **\*-0517/P1.9111\* SECTION 9111. Nonstatutory provisions; district**  
24 **attorneys.**



1           **\*-0517/P1.9112\* SECTION 9112. Nonstatutory provisions; educational**  
2           **communications board.**

3           **\*-0517/P1.9113\* SECTION 9113. Nonstatutory provisions; elections**  
4           **board.**

5           **\*-0517/P1.9114\* SECTION 9114. Nonstatutory provisions; employee**  
6           **trust funds.**

7           **\*-0517/P1.9115\* SECTION 9115. Nonstatutory provisions; employment**  
8           **relations commission.**

9           **\*-0517/P1.9116\* SECTION 9116. Nonstatutory provisions; ethics board.**

10          **\*-0517/P1.9117\* SECTION 9117. Nonstatutory provisions; financial**  
11          **institutions.**

12          **\*-0517/P1.9118\* SECTION 9118. Nonstatutory provisions; Fox River**  
13          **Navigational System Authority.**

14          **\*-0517/P1.9119\* SECTION 9119. Nonstatutory provisions; governor.**

15          **\*-0517/P1.9120\* SECTION 9120. Nonstatutory provisions; Health and**  
16          **Educational Facilities Authority.**

17          **\*-0084/3.9121\* SECTION 9121. Nonstatutory provisions; health and**  
18          **family services.**

19          **\*-0084/3.9121\* (1) RELATIVE GUARDIANSHIPS.** Notwithstanding section 48.977  
20          (2) (a), 2003 stats., a petition under section 48.977 (4) of the statutes, as affected by  
21          this act, may be filed for the appointment of a relative as the guardian of the person  
22          of a child who has been placed, or continued in a placement, outside of his or her home  
23          for less than one year on the effective date of this subsection.

24          **\*-0347/2.9121\* (2) TRANSFER OF SANITARIAN REGISTRATION.**

1           (a) *Registered sanitarians.* All persons who were registered as sanitarians  
2 under section 250.05 of the statutes, as affected by this act, immediately before the  
3 effective date of this paragraph are registered under section 440.70 of the statutes,  
4 as affected by this act.

5           (b) *Rules and orders.* All rules of the department of health and family services  
6 regulating registration of sanitarians that are in effect before the effective date of  
7 this paragraph remain in effect until their specified expiration date or until amended  
8 or repealed by the department of regulation and licensing. All orders of the  
9 department of health and family services regulating registered sanitarians that are  
10 in effect before the effective date of this paragraph remain in effect until their  
11 specified expiration date or until modified or rescinded by the department of  
12 regulation and licensing.

13           (c) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
14 liabilities of the department of health and family services relating to the registration  
15 of sanitarians, as determined by the secretary of administration, shall become the  
16 assets and liabilities of the department of regulation and licensing.

17           (d) *Tangible personal property.* On the effective date of this paragraph, all  
18 tangible personal property, including records, of the department of health and family  
19 services relating to the registration of sanitarians, as determined by the secretary  
20 of administration, is transferred to the department of regulation and licensing.

21           (e) *Contracts.* All contracts entered into by the department of health and family  
22 services relating to the registration of sanitarians in effect on the effective date of this  
23 paragraph remain in effect and are transferred to the department of regulation and  
24 licensing. The department of regulation and licensing shall carry out any obligations

1 under such a contract until the contract is modified or rescinded by the department  
2 of regulation and licensing to the extent allowed under the contract.

3 (f) *Pending matters.* Any matter pending with the department of health and  
4 family services relating to the regulation of sanitarians on the effective date of this  
5 paragraph is transferred to the department of regulation and licensing and all  
6 materials submitted to or actions taken by the department of health and family  
7 services with respect to the pending matter are considered as having been submitted  
8 to or taken by the department of regulation and licensing.

9 \*~~0404~~/4.9121\* (3) TRANSFER OF DAY CARE CENTER LICENSING.

10 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
11 liabilities of the department of health and family services primarily related to the  
12 licensing of day care centers, as determined by the secretary of administration, shall  
13 become the assets and liabilities of the department of workforce development.

14 (b) *Employee transfers.* All positions and all incumbent employees holding  
15 those positions in the department of health and family services primarily related to  
16 the licensing of day care centers, as determined by the secretary of administration,  
17 are transferred on the effective date of this paragraph to the department of workforce  
18 development.

19 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
20 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
21 statutes in the department of workforce development that they enjoyed in the  
22 department of health and family services immediately before the transfer.  
23 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
24 has attained permanent status in class is required to serve a probationary period.

1 (d) *Contracts.* All contracts entered into by the department of health and family  
2 services in effect on the effective date of this paragraph that are primarily related  
3 to the licensing of day care centers, as determined by the secretary of administration,  
4 remain in effect and are transferred to the department of workforce development.  
5 The department of workforce development shall carry out any obligations under such  
6 a contract until the contract is modified or rescinded by the department of workforce  
7 development to the extent allowed under the contract.

8 (e) *Rules and orders.* All rules promulgated by the department of health and  
9 family services that are in effect on the effective date of this paragraph and that are  
10 primarily related to the licensing of day care centers remain in effect until their  
11 specified expiration dates or until amended or repealed by the department of  
12 workforce development. All orders issued by the department of health and family  
13 services that are in effect on the effective date of this paragraph and that are  
14 primarily related to the licensing of day care centers remain in effect until their  
15 specified expiration dates or until modified or rescinded by the department of  
16 workforce development.

17 (f) *Pending matters.* Any matter pending with the department of health and  
18 family services on the effective date of this paragraph that is primarily related to the  
19 licensing of day care centers is transferred to the department of workforce  
20 development and all materials submitted to or actions taken by the department of  
21 health and family services with respect to the pending matter are considered as  
22 having been submitted to or taken by the department of workforce development.

23 \*-0746/4.9121\* (4) MEDICAL ASSISTANCE AND COMMUNITY AIDS PROGRAM  
24 FUNDING AND PAYMENTS. The repeal of 2003 Wisconsin Act 318, sections 15, 18, 20, 22,  
25 and 27, by this act applies notwithstanding section 990.03 of the statutes.

1           \***-0976/2.9121\*** (5) TRANSFER OF MENTAL HEALTH SERVICES FOR HOMELESS  
2 INDIVIDUALS.

3           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
4 liabilities of the department of health and family services primarily related to mental  
5 health services for homeless individuals under section 46.972 (3) of the statutes, as  
6 affected by this act, as determined by the secretary of administration, shall become  
7 the assets and liabilities of the department of commerce.

8           (b) *Position transfer.*

9           1. On the effective date of this subdivision, the authorized FTE positions for the  
10 department of health and family services, funded from the appropriation under  
11 section 20.435 (6) (m) of the statutes, are decreased by 1.0 PR-F position having  
12 responsibility for a program to provide mental health services to homeless  
13 individuals with chronic mental illness.

14           2. On the effective date of this subdivision, the authorized FTE positions for the  
15 department of commerce, funded from the appropriation under section 20.143 (2) (m)  
16 of the statutes, are increased by 1.0 PR-F position having responsibility for a  
17 program to provide mental health services to homeless individuals with chronic  
18 mental illness.

19           3. On the effective date of this subdivision, the incumbent employee holding the  
20 position specified in subdivision 1. is transferred to the department of commerce.

21           (c) *Employee status.* The employee transferred under paragraph (b) 3. shall  
22 have all the same rights and the same status under subchapter V of chapter 111 and  
23 chapter 230 of the statutes in the department of commerce that he or she enjoyed in  
24 the department of health and family services immediately before the transfer.

1 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
2 has attained permanent status in class is required to serve a probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the department of health and family  
5 services that is primarily related to mental health services for homeless individuals  
6 under section 46.972 (3) of the statutes, as affected by this act, as determined by the  
7 secretary of administration, is transferred to the department of commerce.

8 (e) *Contracts.* All contracts entered into by the department of health and family  
9 services in effect on the effective date of this paragraph that are primarily related  
10 to mental health services for homeless individuals under section 46.972 (3) of the  
11 statutes, as affected by this act, as determined by the secretary of administration,  
12 remain in effect and are transferred to the department of commerce. The department  
13 of commerce shall carry out any obligations under such a contract until the contract  
14 is modified or rescinded by the department of commerce to the extent allowed under  
15 the contract.

16 (f) *Rules and orders.* All rules promulgated by the department of health and  
17 family services that are in effect on the effective date of this paragraph that are  
18 primarily related to mental health services for homeless individuals under section  
19 46.972 (3) of the statutes, as affected by this act, remain in effect until their specified  
20 expiration date or until amended or repealed by the department of commerce. All  
21 orders issued by the department of health and family services that are in effect on  
22 the effective date of this paragraph that are primarily related to mental health  
23 services for homeless individuals under section 46.972 (3) of the statutes, as affected  
24 by this act, remain in effect until their specified expiration date or until modified or  
25 rescinded by the department of commerce.

1           \*–1089/5.9121\* (6) SCHEDULE OF ASSESSMENTS ON HEALTH MAINTENANCE  
2 ORGANIZATIONS WITH MEDICAL ASSISTANCE CONTRACTS. Notwithstanding the schedule  
3 for payment of assessments specified in section 49.45 (2) (a) 26. a. of the statutes, as  
4 created by this act, payments of assessments on a health maintenance organization  
5 with a contract to provide health care to Medical Assistance and Badger Care  
6 recipients in 2006 shall be made as follows:

7           (a) On March 31, 2006, payment based on the health maintenance  
8 organization's estimated gross revenues for the period of January 1, 2006, to March  
9 31, 2006, is due.

10          (b) On June 30, 2006, payment based on the health maintenance organization's  
11 actual gross revenues for the period of January 1, 2006, to March 31, 2006, is due.

12          (c) On September 30, 2006, payment based on the health maintenance  
13 organization's actual gross revenues for the period of April 1, 2006, to June 30, 2006,  
14 is due.

15          (d) On December 31, 2006, payment based on the health maintenance  
16 organization's actual gross revenues for the period of July 1, 2006, to September 30,  
17 2006, is due.

18           \*–1302/3.9121\*(7) INQUIRIES CONCERNING MANAGED CARE ORGANIZATIONS. Before  
19 July 1, 2006, the department of health and family services shall issue inquiries  
20 concerning the existence of managed care organizations that have capability to  
21 develop the provision of primary, acute, and long-term managed care, on a regional  
22 basis, to elderly and disabled Medical Assistance recipients. The department of  
23 health and family services shall consult with the department of administration in  
24 connection with the inquiries issued under this subsection and the responses  
25 received.

1           \*-1649/7.9121\* (8) TRANSFER OF FUNCTIONS OF THE BOARD ON HEALTH CARE  
2 INFORMATION.


3           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
4 liabilities of the department of health and family services primarily related to the  
5 functions of the board on health care information, as determined by the secretary of  
6 administration, shall become the assets and liabilities of the department of  
7 administration.

8           (b) *Position and employee transfers.* All incumbent employees holding  
9 positions in the department of health and family services performing duties  
10 primarily related to the functions of the board on health care information, as  
11 determined by the secretary of administration, are transferred on the effective date  
12 of this paragraph to the department of administration.

13           (c) *Employee status.* Employees transferred under paragraph (b) have all the  
14 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
15 statutes in the department of administration that they enjoyed in the department  
16 of health and family services immediately before the transfer. Notwithstanding  
17 section 230.28 (4) of the statutes, no employee so transferred who has attained  
18 permanent status in class is required to serve a probationary period.

19           (d) *Tangible personal property.* On the effective date of this paragraph, all  
20 tangible personal property, including records, of the department of health and family  
21 services that is primarily related to the functions of the board on health care  
22 information, as determined by the secretary of administration, is transferred to the  
23 department of administration. (9)

24           (e) *Contracts.* 1. All contracts entered into by the board on health care  
25 information in effect on the effective date of this subdivision remain in effect and are





1 transferred to the health care quality and patient safety board. The health care  
2 quality and patient safety board shall carry out any obligations under such a contract  
3 until the contract is modified or rescinded by the health care quality and patient  
4 safety board to the extent allowed under the contract.

5 2. All contracts entered into by the department of health and family services  
6 in effect on the effective date of this subdivision that are primarily related to the  
7 functions of the board on health care information, as determined by the secretary of  
8 administration, remain in effect and are transferred to the department of  
9 administration. The department of administration shall carry out any obligations  
10 under such a contract until the contract is modified or rescinded by the department  
11 of administration to the extent allowed under the contract.

12 (f) *Rules and orders.* All rules promulgated by the board on health care  
13 information that are in effect on the effective date of this subdivision remain in effect  
14 until their specified expiration date or until amended or repealed by the health care  
15 quality and patient safety board.

16 (g) *Pending matters.* Any matter pending with the board on health care  
17 information on the effective date of this paragraph is transferred to the health care  
18 quality and patient safety board and all materials submitted to or actions taken by  
19 the board on health care information with respect to the pending matter are  
20 considered as having been submitted to or taken by the health care quality and  
21 patient safety board.

22 \*-1649/7.9121\* (9) HEALTH CARE INFORMATION; RULE MAKING. Notwithstanding  
23 the requirement and authorization for the department of health and family services  
24 to promulgate rules under section 153.75 of the statutes, as affected by this act,  
25 before July 1, 2007, the department of health and family services may promulgate

1 under section 153.75 of the statutes only rules that are first approved by the health  
2 care quality and patient safety board.

3 \*-0541/2\* (10) WAIVER FOR COST-SAVING MEASURES UNDER THE BADGER CARE  
4 HEALTH CARE PROGRAM.

5 (a) The department of health and family services shall request one or more  
6 waivers from the secretary of the federal department of health and human services  
7 to permit the department of health and family services to implement cost-saving  
8 measures under the Badger Care health care program, including any of the  
9 following:

10 1. Establishing a 3-tiered prescription drug copayment requirement that does  
11 not exceed the maximum copayment amount established by the group insurance  
12 board for state employees.

13 2. Establishing a benchmark plan, as described in 42 CFR 457.420.

14 3. Establishing mandatory copayments for benefits in addition to the  
15 copayments for prescription drug coverage.

16 (b) If a federal waiver under paragraph (a) is approved, the department of  
17 health and family services shall seek enactment of statutory language to implement  
18 cost-saving measures authorized under the waiver.

19 \*-0541/2\* (11) PHARMACY REIMBURSEMENT METHODOLOGY INVESTIGATION. The  
20 department of health and family services shall investigate alternatives to using the  
21 average wholesale price methodology for pharmacy reimbursement for brand name  
22 prescription drugs that are purchased by or dispensed to Medical Assistance  
23 recipients, persons who receive health care coverage under the Badger Care health  
24 care program, and participants in the program for prescription drug assistance for  
25 elderly persons under section 49.688 of the statutes. The department's investigation

1 shall include review and research of different methodologies. No later than June 30,  
2 2006, the department of health and family services shall submit to the department  
3 of administration a report with its findings, conclusions, and recommendations on  
4 the various methodologies investigated.

5 **\*-1709/2\*** (12) TRANSFER OF HELP DESK AND DESKTOP SUPPORT POSITIONS. All  
6 incumbent employees holding positions in the department of health and family  
7 services performing duties primarily related to information technology assistance  
8 services, as determined by the secretary of health and family services, are  
9 transferred on the effective date of this subsection to the department of  
10 administration. Employees transferred under this subsection have all rights and the  
11 same status under subchapter V of chapter 111 and chapter 230 of the statutes that  
12 they enjoyed in the department of health and family services. Notwithstanding  
13 section 230.28 (4) of the statutes, no employee so transferred who has attained  
14 permanent status in class may be required to serve a probationary period.

15 **\*-0517/P1.9122\*** SECTION 9122. Nonstatutory provisions; higher  
16 educational aids board.

17 **\*-0517/P1.9123\*** SECTION 9123. Nonstatutory provisions; historical  
18 society.

19 **\*-1225/1.9124\*** SECTION 9124. Nonstatutory provisions; Housing and  
20 Economic Development Authority.

21 **\*-1225/1.9124\*** (1) TRANSFER OF SURPLUS. Notwithstanding section 234.165 (2)  
22 (c) of the statutes, the Wisconsin Housing and Economic Development Authority  
23 shall pay to the state in fiscal year 2005–06 \$2,500,000 of its actual surplus under  
24 section 234.165 of the statutes and in fiscal year 2006–07 \$2,500,000 of its actual  
25 surplus under section 234.165 of the statutes.

1           \*-0517/P1.9125\* SECTION 9125. Nonstatutory provisions; insurance.

2           \*-0517/P1.9126\* SECTION 9126. Nonstatutory provisions; investment  
3 board.

4           \*-0517/P1.9127\* SECTION 9127. Nonstatutory provisions; joint  
5 committee on finance.

6           \*-0517/P1.9128\* SECTION 9128. Nonstatutory provisions; judicial  
7 commission.

8           \*-1377/3.9129\* SECTION 9129. Nonstatutory provisions; justice.

9           \*-1377/3.9129\* (1) TRANSFER OF COUNTY-TRIBAL LAW ENFORCEMENT GRANT  
10 PROGRAM.

11           (a) *Positions and employees.*

12           1. On the effective date of this subdivision, all full-time equivalent positions  
13 in the department of justice having duties primarily related to the department's  
14 county-tribal law enforcement grant program, as determined by the secretary of  
15 administration, are transferred to the office of justice assistance.

16           2. All incumbent employees holding positions specified in subdivision 1. are  
17 transferred on the effective date of this subdivision to the office of justice assistance.

18           3. Employees transferred under subdivision 2. have all the rights and the same  
19 status under subchapter V of chapter 111 and chapter 230 of the statutes in the office  
20 of justice assistance that they enjoyed in the department of justice immediately  
21 before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee  
22 so transferred who has attained permanent status in class is required to serve a  
23 probationary period.

24           (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
25 liabilities of the department of justice primarily related to the department's

1 county-tribal law enforcement grant program, as determined by the secretary of  
2 administration, shall become the assets and liabilities of the office of justice  
3 assistance.

4 (c) *Tangible personal property.* On the effective date of this paragraph, all  
5 tangible personal property, including records, of the department of justice that is  
6 primarily related to the department's county-tribal law enforcement grant program,  
7 as determined by the secretary of administration, is transferred to the office of justice  
8 assistance.

9 (d) *Contracts.* All contracts entered into by the department of justice in effect  
10 on the effective date of this paragraph that are primarily related to the department's  
11 county-tribal law enforcement grant program, as determined by the secretary of  
12 administration, remain in effect and are transferred to the office of justice  
13 assistance. The office of justice assistance shall carry out any obligations under such  
14 a contract until the contract is modified or rescinded by the office of justice assistance  
15 to the extent allowed under the contract.

16 (e) *Rules and orders.* All rules promulgated by the department of justice  
17 primarily related to the department's county-tribal law enforcement grant program,  
18 as determined by the secretary of administration, that are in effect on the effective  
19 date of this paragraph shall become rules of the office of justice assistance and shall  
20 remain in effect until their specified expiration dates or until amended or repealed  
21 by the office of justice assistance. All orders issued by the department of justice  
22 primarily related to the department's county-tribal law enforcement grant program  
23 that are in effect on the effective date of this paragraph shall become orders of the  
24 office of justice assistance and shall remain in effect until their specified expiration  
25 dates or until modified or rescinded by the office of justice assistance.

1 (f) *Pending matters.* Any matter pending with the department of justice on the  
2 effective date of this paragraph that is primarily related to the department's  
3 county-tribal law enforcement grant program, as determined by the secretary of  
4 administration, is transferred to the office of justice assistance, and all materials  
5 submitted to or actions taken by the department of justice with respect to the pending  
6 matter are considered as having been submitted to or taken by the office of justice  
7 assistance.

8 **\*-1734/1.9130\* SECTION 9130. Nonstatutory provisions; legislature.**

9 **\*-1734/1.9130\* (1) APPROPRIATION LAPSES AND REESTIMATES.**

10 (a) In this subsection, "state operations" means all purposes except aids to  
11 individuals and organizations and local assistance.

12 (b) The cochairpersons of the joint committee on legislative organization shall  
13 take actions during the 2005-07 fiscal biennium to ensure that from general purpose  
14 revenue appropriations for state operations to the legislature under section 20.765  
15 of the statutes, as affected by this act, an amount equal to a total of \$4,675,000 in  
16 fiscal year 2005-06 and a total of \$4,675,000 in fiscal year 2006-07 are lapsed from  
17 sum certain appropriation accounts or are subtracted from the expenditure  
18 estimates for any other types of appropriations, or both.

19 (c) The cochairpersons of the joint committee on legislative organization shall  
20 take actions during the 2005-07 fiscal biennium to ensure that the authorized FTE  
21 positions for the legislature are decreased by a total of 38.0 FTE positions from the  
22 FTE position level that is authorized for the legislature on the effective date of this  
23 subsection.

24 **\*-0517/P1.9131\* SECTION 9131. Nonstatutory provisions; lieutenant**  
25 **governor.**

1           **\*-0517/P1.9132\* SECTION 9132. Nonstatutory provisions; lower**  
2           **Wisconsin state riverway board.**

3           **\*-0517/P1.9133\* SECTION 9133. Nonstatutory provisions; Medical**  
4           **College of Wisconsin.**

5           **\*-0517/P1.9134\* SECTION 9134. Nonstatutory provisions; military**  
6           **affairs.**

7           **\*-0383/5.9135\* SECTION 9135. Nonstatutory provisions; natural**  
8           **resources.**

9           **\*-0383/5.9135\* (1) PHEASANT HUNTING PERMITS; RULES.** Using the procedure  
10          under section 227.24 of the statutes, the department of natural resources may  
11          promulgate rules implementing section 29.185 of the statutes, as created by this act,  
12          for the period before the date on which permanent rules take effect, but not to exceed  
13          the period authorized under section 227.24 (1) (c) and (2) of the statutes.  
14          Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department  
15          of natural resources is not required to provide evidence that promulgating a rule  
16          under this subsection as an emergency rule is necessary for the preservation of the  
17          public peace, health, safety, or welfare and is not required to provide a finding of  
18          emergency for a rule promulgated under this subsection.

19          **\*-0519/3.9135\* (2) MANAGED FOREST LAND BOARD.** Notwithstanding section  
20          15.345 (6) of the statutes, as created by this act, 2 of the initial members of the  
21          managed forest land board appointed under section 15.345 (6) (a) to (d) of the  
22          statutes shall serve for terms expiring on May 1, 2007, and 2 of those initial members  
23          shall serve for terms expiring on May 1, 2009.

24          **\*-1258/5.9135\* (3) TURKEY HUNTING APPROVALS; RULES.** Using the procedure  
25          under section 227.24 of the statutes, the department of natural resources may

1 promulgate rules implementing section 29.164 of the statutes, as affected by this act,  
2 for the period before the date on which permanent rules take effect, but not to exceed  
3 the period authorized under section 227.24 (1) (c) and (2) of the statutes.  
4 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department  
5 of natural resources is not required to provide evidence that promulgating a rule  
6 under this subsection as an emergency rule is necessary for the preservation of the  
7 public peace, health, safety, or welfare and is not required to provide a finding of  
8 emergency for a rule promulgated under this subsection.

9       \*–0517/P1.9136\* SECTION 9136. Nonstatutory provisions; public  
10 defender board.

11       \*–1588/4.9137\* SECTION 9137. Nonstatutory provisions; public  
12 instruction.

13       \*–1588/4.9137\* (1) DIFFERENTIATED COMPENSATION PROGRAMS.

14       (a) The department of public instruction shall promulgate emergency rules  
15 under section 227.24 of the statutes to implement section 115.40 of the statutes, as  
16 created by this act, by October 15, 2005. Notwithstanding section 227.24 (1) (c) and  
17 (2) of the statutes, the emergency rules promulgated under this paragraph remain  
18 in effect until July 1, 2006, or the date on which the permanent rules take effect,  
19 whichever occurs first. Notwithstanding section 227.24 (1) (a) and (3) of the statutes,  
20 the department is not required to provide evidence that promulgating a rule under  
21 this paragraph as an emergency rule is necessary for the preservation of public  
22 peace, health, safety, or welfare and is not required to provide a finding of emergency  
23 for the rule.

24       (b) The department of public instruction may not accept an application from  
25 a school board for a grant in the 2005–07 fiscal biennium under section 115.40 of the



1 statutes, as created by this act, that is received by the department after December  
2 15, 2005.

3 (c) The department of public instruction shall award grants for the 2005-07  
4 fiscal biennium under section 115.40 of the statutes, as created by this act, by  
5 January 31, 2006. The department shall pay one-third of the grant in the 2005-06  
6 fiscal year and two-thirds of the grant in the 2006-07 fiscal year.

7 **\*-1762/2.9137\*** (2) ADULT LITERACY GRANTS. From the appropriation under  
8 section 20.255 (3) (b) of the statutes, as created by this act, the department of public  
9 instruction shall award grants in the 2005-06 fiscal year to nonprofit organizations,  
10 as defined in section 108.02 (19) of the statutes, to support programs that train  
11 community-based adult literacy staff and to establish new volunteer-based  
12 programs in areas of this state that have a demonstrated need for adult literacy  
13 services. No grant may exceed \$25,000, and no organization may receive more than  
14 one grant.

15 **\*-0517/P1.9138\* SECTION 9138. Nonstatutory provisions; public lands,**  
16 **board of commissioners of.**

17 **\*-0517/P1.9139\* SECTION 9139. Nonstatutory provisions; public service**  
18 **commission.**

19 **\*-0558/P1.9140\* SECTION 9140. Nonstatutory provisions; regulation**  
20 **and licensing.**

21 **\*-0558/P1.9140\*** (1) CREDENTIAL RENEWAL FEES; RENEWAL DATE CHANGES. When  
22 preparing its recommendations under section 440.03 (9) (b) of the statutes for  
23 changes to fees under section 440.08 (2) (a) of the statutes for credential renewals in  
24 the 2007-09 biennium, the department of regulation and licensing shall consider

whether to reduce or increase the fees based on the changes to the renewal deadlines made by this act.

**\*-0302/4.9141\* SECTION 9141. Nonstatutory provisions; revenue.**

**\*-0302/4.9141\*** (1) INTERNAL REVENUE CODE. Changes to the Internal Revenue Code made by P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply to the definitions of "Internal Revenue Code" in chapter 71 of the statutes at the time that those changes apply for federal income tax purposes.

**\*-0303/4.9141\*** (2) THE STREAMLINED SALES AND USE TAX AGREEMENT. The department of revenue shall notify the revisor of statutes of the effective date of this state's participation in the streamlined sales and use tax agreement, as described in section 77.65 of the statutes, as affected by this act, no later than 30 days after such effective date is determined.

**\*-0743/1.9141\*** (3) NOTIFICATION FROM THE SECRETARY OF REVENUE. The secretary of revenue shall immediately notify the revisor of statutes of the effective date of any federal law that authorizes the state to require collection of the state's use tax by retailers who do not have a physical presence in this state.

**\*-1742/3.9141\*** (4) REVENUE FROM THE STREAMLINED SALES TAX PROJECT. No sooner than July 1, 2006, and no later than September 1, 2006, the department of revenue shall estimate the amount of revenue that will be collected under subchapter III of chapter 77 of the statutes for the 2005-07 fiscal biennium in excess of the amount of revenue that, prior to the beginning of that biennium and based, in part, on the assumption of compliance by sellers with the streamlined sales and use tax agreement described under section 77.65 of the statutes, as affected by this act,

1 the department of revenue estimated would be collected under subchapter III of  
2 chapter 77 of the statutes for that biennium.

3 **\*-0517/P1.9142\* SECTION 9142. Nonstatutory provisions; secretary of**  
4 **state.**

5 **\*-0517/P1.9143\* SECTION 9143. Nonstatutory provisions; state**  
6 **employment relations, office of.**

7 **\*-0517/P1.9144\* SECTION 9144. Nonstatutory provisions; state fair park**  
8 **board.**

9 **\*-1230/1.9145\* SECTION 9145. Nonstatutory provisions; supreme court.**

10 **\*-1230/1.9145\*(1) APPROPRIATION LAPSES AND REESTIMATES.** The chief justice of  
11 the supreme court, acting as the administrative head of the judicial system, shall  
12 take actions during the 2005-07 fiscal biennium to ensure that from general purpose  
13 revenue appropriations for state operations to the circuit courts under section 20.625  
14 of the statutes, to the court of appeals under section 20.660 of the statutes, and to the  
15 supreme court under section 20.680 of the statutes, an amount equal to \$1,300,000  
16 is lapsed from sum certain appropriation accounts or is subtracted from the  
17 expenditure estimates for any other types of appropriations, or both.

18 **\*-0517/P1.9146\* SECTION 9146. Nonstatutory provisions; technical**  
19 **college system.**

20 **\*-0517/P1.9147\* SECTION 9147. Nonstatutory provisions; tourism.**

21 **\*-1394/1.9148\* SECTION 9148. Nonstatutory provisions; transportation.**

22 **\*-1394/1.9148\* (1) ELECTRONIC PROCESSING OF TITLE AND REGISTRATION**  
23 **APPLICATIONS.** The department of transportation may, prior to June 30, 2007, require  
24 certain motor vehicle dealers to electronically process all applications for motor  
25 vehicle title and registration submitted under section 342.16 (1) (a) of the statutes.

Insert  
883-7  
L

883-7

dots →

(1) STUDY OF ADMINISTRATIVE SALARIES IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT. The director of the office of state employment relations shall conduct a study of compensation paid to administrators in state agencies in the executive branch of state government, including specifically compensation that is paid to administrative executives and officers employed by the Board of Regents of the University of Wisconsin System. No later than December 31, 2006, the director of the office of state employment relations shall submit a report of the results of the study to the secretary of administration. The report shall include recommendations for addressing any disparities in compensation paid to administrators.

(END)

**\*-1557/2.9148\* (2) HARBOR ASSISTANCE PROGRAM.**

(a) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as affected by this act, the department of transportation shall award a grant under section 85.095 (2) (a) of the statutes of \$6,000,000 in the 2005–07 fiscal biennium to a city in northeastern Wisconsin that has a harbor facility for the purpose of constructing new boatlift facilities or improving existing boatlift facilities that serve or will serve at least 2 commercial enterprises that enhance economic development and will provide at least 600 new jobs in this state.

(b) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as affected by this act, the department of transportation shall award a grant under section 85.095 (2) (a) of the statutes of \$2,100,000 in the 2005–07 fiscal biennium for a boat slip repair and reconstruction project in northeastern Wisconsin if the project is necessary to retain at least 2,500 jobs in this state.

**\*-1560/3.9148\* (3) TRANSFER OF SUPPLEMENTAL TITLE FEES.**

(a) No transfer of moneys may be made under section 20.855 (4) (f), 2003 stats., on or after the effective date of this paragraph.

(b) If the effective date of this paragraph is after October 1, 2005, the secretary of administration shall transfer, in fiscal year 2005–06, from the environmental fund to the general fund an amount equal to the amount transferred under section 20.855 (4) (f), 2003 stats., from the general fund to the environmental fund between July 1, 2005, and the effective date of this paragraph.

(c) If the effective date of this paragraph is after July 1, 2005, the secretary of transportation shall, no later than 60 days after the effective date of this paragraph,

1 certify to the secretary of administration the amount of fees collected under sections  
2 101.9208 (1) (dm), 2003 stats., and 342.14 (3m), 2003 stats., and deposited into the  
3 transportation fund between July 1, 2005, and the effective date of this paragraph,  
4 and the secretary of administration shall transfer, in fiscal year 2005–06, this  
5 amount from the transportation fund to the environmental fund.

6 **\*-0517/P1.9149\* SECTION 9149. Nonstatutory provisions; treasurer.**

7 **\*-0517/P1.9150\* SECTION 9150. Nonstatutory provisions; University of**  
8 **Wisconsin Hospitals and Clinics Authority.**

9 **\*-0517/P1.9151\* SECTION 9151. Nonstatutory provisions; University of**  
10 **Wisconsin Hospitals and Clinics Board.**

11 **\*-1606/1.9152\* SECTION 9152. Nonstatutory provisions; University of**  
12 **Wisconsin System.**

13 **\*-1606/1.9152\* (1) OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TESTING.**

14 (a) *Positions and employees.*

15 1. The authorized FTE positions for the department of health and family  
16 services, funded from the appropriations under section 20.435 (1) (a), (gm), and (m)  
17 of the statutes, as affected by this act, are decreased by 10.5 FTE positions, for the  
18 purpose of providing occupational safety and health administration testing.

19 2. The authorized FTE positions for the department of commerce, funded from  
20 the appropriation under section 20.143 (3) (m) of the statutes, are decreased by 9.0  
21 FTE positions, for the purpose of providing occupational safety and health  
22 administration testing.

23 3. The authorized FTE positions for the state laboratory of hygiene, funded  
24 from the appropriation under section 20.285 (1) (fd) of the statutes, are increased by

1 19.5 FTE positions, for the purpose of providing occupational safety and health  
2 administration testing.

3 4. The authorized FTE positions for the state laboratory of hygiene, funded  
4 from the appropriation under section 20.285 (1) (i) of the statutes, are increased by  
5 0.5 FTE position, for the purpose of providing occupational safety and health  
6 administration testing.

7 5. The authorized FTE positions for the state laboratory of hygiene, funded  
8 from the appropriation under section 20.285 (1) (m) of the statutes, are increased by  
9 21.55 FTE positions, for the purpose of providing occupational safety and health  
10 administration testing.

11 6. All incumbent employees in the departments of health and family services  
12 and commerce who perform occupational safety and health administration testing  
13 are transferred on the effective date of this subdivision to the state laboratory of  
14 hygiene. Employees transferred under this subdivision have all the rights and the  
15 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
16 employment commission that they enjoyed before the transfer. Notwithstanding  
17 section 230.28 (4) of the statutes, no employee so transferred who has attained  
18 permanent status in class must serve a probationary period.

19 (b) *Tangible personal property.* On the effective date of this paragraph, all  
20 tangible personal property, including records, that relates to occupational safety and  
21 health administration testing of the departments of health and family services and  
22 commerce is transferred to the state laboratory of hygiene.

23 (c) *Contracts.* All contracts entered into by the departments of health and  
24 family services and commerce that relate to occupational safety and health  
25 administration testing and that are in effect on the effective date of this paragraph

1 remain in effect and are transferred to the state laboratory of hygiene. The state  
2 laboratory of hygiene shall carry out any obligations under such a contract until the  
3 state laboratory of hygiene modifies or rescinds the contract to the extent allowed.

4       **\*-1838/2.9152\*** (2) POSITION REPORT. No later than August 1, 2006, the Board  
5 of Regents of the University of Wisconsin System shall submit to the secretary of  
6 administration a report that describes by position classification and campus the  
7 <sup>and instructional staff</sup> faculty positions that were created from July 1, 2004, to July 1, 2006. <sup>to promote access to the University of Wisconsin System</sup>

8       **\*-1839/1.9152\*** (3) PLAN TO ELIMINATE POSITIONS. By May 30, 2006, the Board  
9 of Regents of the University of Wisconsin System shall submit to the secretary of  
10 administration for his or her approval a plan to eliminate 200 administrative  
11 positions within the University of Wisconsin System, specified by position  
12 classification and location. ~~If the secretary of administration does not approve the~~  
13 ~~plan by June 30, 2006, then~~ notwithstanding section 16.505 (2p) of the statutes, the  
14 Board of Regents of the University of Wisconsin System may not during the 2006-07  
15 fiscal year create any full-time equivalent academic staff or faculty positions from  
16 revenues appropriated under section 20.285 (1) (a) of the statutes <sup>until the secretary of administration approves the plan</sup>

17       **\*-1866/1.9152\*** (4) ALLOCATION OF FUNDS. Of moneys appropriated under  
18 section 20.285 (1) (a) of the statutes for the 2006-07 fiscal year, the Board of Regents  
19 of the University of Wisconsin System shall allocate \$1,111,400 for implementing the  
20 recommendations of the committee on baccalaureate expansion and \$582,000 for the  
21 University of Wisconsin-Rock County engineering initiative.

22       **\*-0328/4.9153\*** SECTION 9153. Nonstatutory provisions; veterans  
23 affairs.

24       **\*-0328/4.9153\*** (1) EDUCATIONAL GRANT PROGRAM EMERGENCY RULES. The  
25 department of veterans affairs may promulgate emergency rules under section

← JMS  
887-  
21



2. Subdivision 1. does not apply to any property, facility, or institution the closure or sale of which is not authorized under section 16.848 of the statutes, as created by this act.

(b) No later than October 1, 2006, the secretary of administration shall submit a report to the secretary of the building commission containing an inventory of his or her recommendations to offer specified state properties for sale under section 16.848 of the statutes, as created by this act, and the reasons therefor. A property may be included in the inventory with or without approval of the state agency having jurisdiction of the property. If, on or before June 30, 2007, the building commission votes to approve the sale of any property included in the inventory, the department of administration may offer the property for sale under section 16.848 of the statutes, as created by this act.

(c) This subsection does not apply after June 30, 2007.

dots → 14-1513/6\* SECTION 9152. Nonstatutory provisions: University of Wisconsin System.

→ (1) SALE OF REAL PROPERTY. If the Board of Regents of the University of Wisconsin System sells any real property under its jurisdiction prior to July 1, 2007, the board shall credit the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz) of the statutes, except that if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under section 18.09 of the statutes to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the board shall pay to the

1 federal government any of the net proceeds required by federal law. If the property  
2 was acquired by gift or grant or acquired with gift or grant funds, the board shall  
3 adhere to any restriction governing use of the proceeds. Except as required under  
4 ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there is no such debt outstanding,  
5 there are no moneys payable to the federal government, and there is no restriction  
6 governing use of the proceeds.

7

(END)

227.24 of the statutes implementing section 45.25 of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**\*-0330/P2.9153\*** (2) MASSAGE THERAPISTS AND BODYWORKERS.

(a) *Definitions.* In this SECTION:

1. “Board” means the educational approval board.

2. “Department” means the department of regulation and licensing.

(b) *Transfer of transitional duties.* Any application received by the board under 2001 Wisconsin Act 74, section 23 (5) (a) that is pending with the board on the effective date of this paragraph is transferred to the department and all materials submitted to or actions taken by the board with respect to the pending application are considered as having been submitted to or taken by the department.

**\*-0517/P1.9154\*** SECTION 9154. Nonstatutory provisions; workforce development.

**\*-0955/10.9155\*** SECTION 9155. Nonstatutory provisions; other.

**\*-0955/10.9155\*** (1) TRANSFER OF ATTORNEY AND LEGAL STAFF POSITIONS.

(a) *Definitions.* In this subsection:

1. “Legal staff” means the individuals as determined by the secretary of administration who provide support services for attorneys.

2. “State agency” means an office, commission, department, independent agency, or board in the executive branch of state government, except the following:

a. The public service commission.

1           b. The public defender board.

2           c. The Board of Regents of the University of Wisconsin System.

3           d. The University of Wisconsin Hospitals and Clinics Board.

4           e. The state of Wisconsin investment board.

5           f. The office of the governor.

6           g. The elections board.

7           h. The ethics board.

8           i. The department of justice.

9           j. The employment relations commission.

10           (b) *State agency attorneys and legal staff.* Except as provided in paragraph (d)  
11 and subject to paragraph (e), on the effective date of this paragraph all attorney  
12 positions in state agencies and all legal staff positions in state agencies are  
13 transferred to the division of legal services in the department of administration.

14           (c) *Department of justice tax litigation attorneys.* On the effective date of this  
15 paragraph, 2 attorney positions in the department of justice with duties entailing tax  
16 litigation are transferred to the division of legal services in the department of  
17 administration. The secretary of administration shall identify the positions to be  
18 transferred.

19           (d) *Hearing officers, hearing examiners, and administrative law judges.*

20           1. Except as provided in subdivision 2. and subject to paragraph (e), on the  
21 effective date of this subdivision all positions identified by the secretary of  
22 administration as hearing officers, hearing examiners, or administrative law judges  
23 are transferred to the division of hearings and appeals in the department of  
24 administration.

## SECTION 9155

1           2. Subdivision 1. does not apply to hearing officers, hearing examiners, or  
2 administrative law judges in the department of workforce development.

3           (e) *Exceptions.* Paragraphs (b) and (d) do not apply to any of the following:

4           1. State employees working in an office of a district attorney under section  
5 978.12 (1) (b) or (c) of the statutes.

6           2. One lead attorney in the office of state employment relations whose duties  
7 include the negotiation and interpretation of collective bargaining agreements  
8 entered into under subchapter V of chapter 111.

9           3. One attorney position in each of the following state agencies, identified by  
10 the secretary of administration as the general counsel or lead attorney position:

11           a. Department of administration.

12           b. Department of agriculture, trade, and rural resources.

13           c. Department of commerce.

14           d. Department of corrections.

15           e. Department of employee trust funds.

16           f. Department of financial institutions.

17           g. Department of health and family services.

18           h. Department of military affairs.

19           i. Department of natural resources.

20           j. Department of public instruction.

21           k. Department of regulation and licensing.

22           l. Department of revenue.

23           m. Department of transportation.

24           n. Department of veterans affairs.

25           o. Department of workforce development.

1 p. Office of the commissioner of insurance.

2 (f) *Incumbents.* All incumbent employees holding positions that are  
3 transferred under paragraphs (b), (c), and (d) are transferred on the effective date  
4 of this paragraph to the department of administration. Employees transferred  
5 under these paragraphs have all the rights and the same status under subchapter  
6 V of chapter 111 and chapter 230 of the statutes in the department of administration  
7 that they enjoyed in their respective state agencies immediately before the transfer.  
8 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
9 has attained permanent status in class is required to serve a probationary period.

10 (g) *Materials.* On the effective date of this paragraph, all equipment, supplies,  
11 and furniture required for the provision of legal services by employees transferred  
12 under paragraphs (b), (c), and (d) are transferred to the department of  
13 administration. The secretary of administration shall identify the equipment,  
14 supplies, and furniture to be transferred.

15 **\*-0955/10.9155\*** (2) LAPSE OR TRANSFER OF CERTAIN APPROPRIATION BALANCES  
16 FROM MONEYS ALLOCATED FOR LEGAL SERVICES TO THE GENERAL FUND.

17 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as  
18 provided in paragraph (b), the secretary of administration shall lapse to the general  
19 fund or transfer to the general fund from the unencumbered balances of the  
20 appropriations to state agencies, as defined in subsection (1) (a) 2., other than sum  
21 sufficient appropriations and appropriations of federal revenues, an amount equal  
22 to \$724,900 during the 2005-07 fiscal biennium. The secretary of administration  
23 shall lapse or transfer these moneys from allocations for agency legal services that  
24 would have been provided in that fiscal biennium with funding from those  
25 appropriations.

(b) The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation under paragraph (a) if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

**\*-1710/4.9155\*** (3) LAPSE OR TRANSFER OF STATE OPERATIONS APPROPRIATION BALANCES TO THE GENERAL FUND.

(a) 1. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$35,500,000 during the 2005-07 fiscal biennium. The secretary of administration shall lapse or transfer these moneys from allocations for human resources and payroll functions and for server and network support, from moneys saved as a result of restructuring of procurement contracts and changes to purchasing and procurement functions, and from efficiencies achieved as a result of space management improvements in that fiscal biennium under those appropriations.

2. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to ~~\$50,000,000~~ <sup>\$55,000,000</sup> during the 2007-08 fiscal year and an amount equal to ~~\$50,000,000~~ <sup>\$55,000,000</sup> during the 2008-09 fiscal year. The secretary of administration shall lapse or transfer these amounts from

1 moneys saved as a result of restructuring procurement contracts in the 2007-09  
2 fiscal biennium under those appropriations.

3 (b) 1. The secretary of administration may not lapse or transfer moneys to the  
4 general fund under paragraph (a) from any appropriation under paragraph (a) if the  
5 lapse or transfer would violate a condition imposed by the federal government on the  
6 expenditure of the moneys or if the lapse or transfer would violate the federal or state  
7 constitution.

8 2. The secretary of administration may not lapse or transfer moneys to the  
9 general fund under paragraph (a) from any appropriation under subchapters VII and  
10 VIII of chapter 20 of the statutes.

11 **\*-1837/2.9155\*** (4) STATE AGENCY PAYMENTS RELATING TO UNFUNDED LIABILITIES  
12 UNDER THE WISCONSIN RETIREMENT SYSTEM.

13 (a) The definitions in section 20.001 of the statutes are applicable in this  
14 subsection, except that "state agency" does not include the department of employee  
15 trust funds or the investment board.

16 (b) The secretary of administration shall determine for each state agency the  
17 amount that the state agency would have been required to expend under section  
18 40.05 (2) (b) and (4) (b), (bc), and (bw) and subchapter IX of chapter 40 of the statutes  
19 during the 2005-07 fiscal biennium had the obligations under section 16.527 of the  
20 statutes not been issued, and each appropriation from which the moneys would have  
21 been expended. The secretary shall exclude from this determination any  
22 appropriation from which a lapse or transfer to pay any principal or interest amount  
23 on obligations issued under section 16.527 of the statutes would violate a condition  
24 imposed by the federal government on the expenditure of the moneys or if the lapse  
25 or transfer would violate the federal or state constitution.



(c) From each appropriation identified in paragraph (b), the secretary shall lapse to the general fund or transfer to the general fund the amount specified in paragraph (b) that would otherwise have been expended from the appropriation.

**\*-1788/P1.9201\* SECTION 9201. Appropriation changes; administration.**

**\*-1788/P1.9201\* (1) UTILITY PUBLIC BENEFITS FUND TRANSFER.** There is transferred from the utility public benefits fund to the general fund \$18,185,300 in fiscal year 2005-06 and \$16,949,400 in fiscal year 2006-07.

**\*-0517/P1.9202\* SECTION 9202. Appropriation changes; aging and long-term care board.**

**\*-1750/2.9203\* SECTION 9203. Appropriation changes; agriculture, trade and consumer protection.**

**\*-1750/2.9203\* (1) AGRICHEMICAL MANAGEMENT FUND TRANSFER.** There is transferred from the agrichemical management fund to the general fund \$130,100 in fiscal year 2005-06 and \$130,100 in fiscal year 2006-07.

**\*-0517/P1.9204\* SECTION 9204. Appropriation changes; arts board.**

**\*-0517/P1.9205\* SECTION 9205. Appropriation changes; building commission.**

**\*-0517/P1.9206\* SECTION 9206. Appropriation changes; child abuse and neglect prevention board.**

**\*-0517/P1.9207\* SECTION 9207. Appropriation changes; circuit courts.**

**\*-1603/6.9208\* SECTION 9208. Appropriation changes; commerce.**

**\*-1603/6.9208\* (1) PETROLEUM INSPECTION FUND TRANSFER.** There is transferred from the petroleum inspection fund to the general fund \$30,860,600 in fiscal year 2006-07. *RCT*

*1*  
*2005-06 and \$20,000,000 in fiscal year*

**\*-0246/2.9209\* SECTION 9209. Appropriation changes; corrections.**

**\*-0246/2.9209\* (1) JUVENILE CORRECTIONAL SERVICES TRANSFERS.**

(a) There is transferred from the appropriation account under section 20.410 (3) (ho) of the statutes, as affected by the acts of 2005, to the appropriation account under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2005, \$90,000 in fiscal year 2005–06.

(b) There is transferred from the appropriation account under section 20.410 (3) (hr) of the statutes, as affected by the acts of 2005, to the appropriation account under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2005, \$2,410,000 in fiscal year 2005–06.

**\*-0252/2.9209\* (2) PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM.** The unencumbered balance in the appropriation account under section 20.410 (1) (hm), 2003 stats., is transferred to the appropriation account under section 20.410 (1) (km) of the statutes.

**\*-0517/P1.9210\* SECTION 9210. Appropriation changes; court of appeals.**

**\*-0517/P1.9211\* SECTION 9211. Appropriation changes; district attorneys.**

**\*-0517/P1.9212\* SECTION 9212. Appropriation changes; educational communications board.**

**\*-0517/P1.9213\* SECTION 9213. Appropriation changes; elections board.**

**\*-0517/P1.9214\* SECTION 9214. Appropriation changes; employee trust funds.**

1           **\*-0517/P1.9215\* SECTION 9215. Appropriation changes; employment**  
2           **relations commission.**

3           **\*-0517/P1.9216\* SECTION 9216. Appropriation changes; ethics board.**

4           **\*-1254/1.9217\* SECTION 9217. Appropriation changes; financial**  
5           **institutions.**

6           **\*-1254/1.9217\* (1) GIFTS, GRANTS, SETTLEMENTS, AND PUBLICATIONS; LAPSE.**

7           (a) Notwithstanding section 20.001 (3) (c) of the statutes, and except as  
8           provided in paragraph (b), on June 30, 2006, there is lapsed to the general fund  
9           \$125,000 from the appropriation account of the department of financial institutions  
10          under section 20.144 (1) (h) of the statutes, as affected by the acts of 2005, and on  
11          June 30, 2007, there is lapsed to the general fund \$125,000 from the appropriation  
12          account of the department of financial institutions under section 20.144 (1) (h) of the  
13          statutes, as affected by the acts of 2005.

14          (b) The secretary of administration may not lapse moneys to the general fund  
15          under paragraph (a) if the lapse would violate a condition imposed by the federal  
16          government on the expenditure of the moneys or if the lapse would violate state or  
17          federal law.

18           **\*-0517/P1.9218\* SECTION 9218. Appropriation changes; Fox River**  
19           **Navigational System Authority.**

20           **\*-0517/P1.9219\* SECTION 9219. Appropriation changes; governor.**

21           **\*-0517/P1.9220\* SECTION 9220. Appropriation changes; Health and**  
22           **Educational Facilities Authority.**

23           **\*-0404/4.9221\* SECTION 9221. Appropriation changes; health and**  
24           **family services.**

1           **\*-0404/4.9221\*** (1) TRANSFER OF DAY CARE CENTER LICENSING. The  
2 unencumbered balance in the appropriation account under section 20.435 (3) (jm) of  
3 the statutes, as affected by this act, that is attributable to day care center licensing  
4 and fees received by the department of health and family services under section  
5 48.65 (3) (a), 2003 stats., as determined by the secretary of administration, is  
6 transferred to the appropriation account under section 20.445 (3) (jm) of the statutes,  
7 as created by this act.

8           **\*-1416/1.9221\*** (2) GROUP HOME REVOLVING LOAN FUND ELIMINATION. The  
9 unencumbered balance in the appropriation account under section 20.435 (6) (gd),  
10 2003 stats., is transferred to the appropriation account under section 20.435 (7) (md)  
11 of the statutes.

12           **\*-0517/P1.9222\*** SECTION 9222. Appropriation changes; higher  
13 educational aids board.

14           **\*-0517/P1.9223\*** SECTION 9223. Appropriation changes; historical  
15 society.

16           **\*-0517/P1.9224\*** SECTION 9224. Appropriation changes; Housing and  
17 Economic Development Authority.

18           **\*-1649/7.9225\*** SECTION 9225. Appropriation changes; insurance.

19           **\*-1649/7.9225\*** (1) HEALTH CARE QUALITY IMPROVEMENT FUND. There is  
20 transferred from the injured patients and families compensation fund to the health  
21 care quality improvement fund \$169,703,400 in fiscal year 2005–06 and \$9,714,000  
22 in fiscal year 2006–07.

23           **\*-0517/P1.9226\*** SECTION 9226. Appropriation changes; investment  
24 board.

1           **\*-0517/P1.9227\* SECTION 9227. Appropriation changes; joint**  
2           **committee on finance.**

3           **\*-0517/P1.9228\* SECTION 9228. Appropriation changes; judicial**  
4           **commission.**

5           **\*-1037/2.9229\* SECTION 9229. Appropriation changes; justice.**

6           **\*-1037/2.9229\* (1) TRANSFER TO BACKGROUND CHECK APPROPRIATION ACCOUNT.**  
7           There is transferred from the appropriation to the department of justice under  
8           section 20.455 (2) (h) of the statutes, as affected by the acts of 2005, to the  
9           appropriation to the department of justice under section 20.455 (2) (gr) of the  
10          statutes, as affected by the acts of 2005, \$647,400 in fiscal year 2005–06.

11          **\*-0517/P1.9230\* SECTION 9230. Appropriation changes; legislature.**

12          **\*-0517/P1.9231\* SECTION 9231. Appropriation changes; lieutenant**  
13          **governor.**

14          **\*-0517/P1.9232\* SECTION 9232. Appropriation changes; lower**  
15          **Wisconsin state riverway board.**

16          **\*-0517/P1.9233\* SECTION 9233. Appropriation changes; Medical**  
17          **College of Wisconsin.**

18          **\*-0517/P1.9234\* SECTION 9234. Appropriation changes; military**  
19          **affairs.**

20          **\*-1361/4.9235\* SECTION 9235. Appropriation changes; natural**  
21          **resources.**

22          **\*-1361/4.9235\* (1) RECYCLING FUND TRANSFER.** There is transferred from the  
23          recycling fund to the general fund \$5,842,100 in fiscal year 2005–06 and \$5,742,100  
24          in fiscal year 2006–07.

1           **\*-1602/2.9235\*** (2) ENVIRONMENTAL FUND TRANSFER. There is transferred from  
2 the environmental fund to the general fund \$4,200,000 in fiscal year 2005–06 and  
3 \$800,000 in fiscal year 2006–07.

4           **\*-0517/P1.9236\*** SECTION 9236. Appropriation changes; public  
5 defender board.

6           **\*-0517/P1.9237\*** SECTION 9237. Appropriation changes; public  
7 instruction.

8           **\*-0517/P1.9238\*** SECTION 9238. Appropriation changes; public lands,  
9 board of commissioners of.

10          **\*-1364/P1.9239\*** SECTION 9239. Appropriation changes; public service  
11 commission.

12          **\*-0517/P1.9240\*** SECTION 9240. Appropriation changes; regulation and  
13 licensing.

14          **\*-0517/P1.9241\*** SECTION 9241. Appropriation changes; revenue.

15          **\*-0517/P1.9242\*** SECTION 9242. Appropriation changes; secretary of  
16 state.

17          **\*-0517/P1.9243\*** SECTION 9243. Appropriation changes; state  
18 employment relations, office of.

19          **\*-0517/P1.9244\*** SECTION 9244. Appropriation changes; state fair park  
20 board.

21          **\*-0517/P1.9245\*** SECTION 9245. Appropriation changes; supreme court.

22          **\*-0517/P1.9246\*** SECTION 9246. Appropriation changes; technical  
23 college system.

24          **\*-0517/P1.9247\*** SECTION 9247. Appropriation changes; tourism.

25          **\*-1890/1.9248\*** SECTION 9248. Appropriation changes; transportation.

1           **\*-1890/1.9248\*** (1) TRANSPORTATION FUND TRANSFER TO GENERAL FUND. There is  
2 transferred from the transportation fund to the general fund, \$250,000,000 in fiscal  
3 year 2005–06 and \$18,058,100 in fiscal year 2006–07.

4           **\*-0517/P1.9249\*** SECTION 9249. Appropriation changes; treasurer.

5           **\*-0517/P1.9250\*** SECTION 9250. Appropriation changes; University of  
6 Wisconsin Hospitals and Clinics Authority.

7           **\*-0517/P1.9251\*** SECTION 9251. Appropriation changes; University of  
8 Wisconsin Hospitals and Clinics Board.

9           **\*-0517/P1.9252\*** SECTION 9252. Appropriation changes; University of  
10 Wisconsin System.

11           **\*-0330/P2.9253\*** SECTION 9253. Appropriation changes; veterans  
12 affairs.

13           **\*-0330/P2.9253\*** (1) MASSAGE THERAPISTS AND BODYWORKERS. The  
14 unencumbered balance in the appropriation account under section 20.485 (5) (h),  
15 2003 stats., is transferred to the appropriation account under section 20.165 (1) (km)  
16 of the statutes, as created by this act.

17           **\*-0517/P1.9254\*** SECTION 9254. Appropriation changes; workforce  
18 development.

19           **\*-1607/10.9255\*** SECTION 9255. Appropriation changes; other.

20           **\*-1607/10.9255\*** (1) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.

21           (a) *Appropriation lapses to the general fund.* Subject to paragraph (b), in the  
22 fiscal years indicated, from the following appropriation accounts, the secretary of  
23 administration shall lapse to the general fund the amounts indicated: